The following amendment of the text as adopted at the first reading on 3 February is proposed:

**Article 40**

Members agree that the Organization shall (c) arrange, if it considers such action to be justified, for particular Members to take part in a conference requested by any Member who considers that any particular practices exist which have or are about to have the effect described in paragraph 1 of Article 39.

1. Any Member which considers that any particular practices exist which have or are about to have the effects described in paragraph 1 of Article 39 may request the Organization to arrange a conference and the Organization may request particular Members to participate in such a conference.

(b) consider each written complaint submitted by any Member or submitted with the authorization of a Member by any affected person, organization or business entity within that Member's jurisdiction, claiming that particular practices exist which have or are about to have the effect described in paragraph 1 of Article 39, and prescribe the minimum information to be included in such complaints.

Any Member so with the authorization of a Member any affected person, organization or business entity within that Member's jurisdiction may complain.
may complain to the Organization that particular practices exist which have or are about to have the effects described in paragraph 1 of Article 39.

The Organization shall prescribe the minimum information to be included in such complaints.

(c) consider, and request each Member concerned to furnish, such information as the Organization may deem necessary, including, for example, information or data from commercial enterprises within its jurisdiction and then determine whether further investigation is justified.

3. The Organization shall consider any such complaint, shall consider, and request each Member concerned to furnish, such information as the Organization may deem necessary, and shall determine whether further investigation is justified.

NOTE: The following amendments are based on the London text.

4. (a) If it is considered that the Organization in accordance with paragraph 3 determines that further investigation is justified it shall

   (a) notify all Members of each such complaint, request the complainant or any Member to provide such information relevant to the complaint as the Organization may deem necessary; and conduct or arrange for hearings, at which any Member and the parties obliged to have been engaged in the practice shall have opportunity to be heard;

   (b) after reviewing all information available to its findings determine whether the practices exist and whether they have had or are about to have the effects described in paragraph 1 of Article 39;

   (c) transmit to all Members the findings reached and the information on which such findings are based its determination together with a full report on the reasons therefor;

   (d) if it finds if it determines that the practices have had, or are about to have, the effects described in paragraph 1 of Article 39 request each Member concerned to take every possible action to prevent
prevent the occurrence, continuance or recurrence of the practices and, at its discretion, if it considers it desirable recommend to the Members concerned remedial measures to be carried out in accordance with their respective laws and procedures;

(g) Request all Members concerned to report fully the action they have taken to achieve these results;

(e) prepare and publish, as expeditiously as possible after inquiries have been completed, a full report on all complaints each complaint dealt with under sub-paragraph d of this paragraph showing fully the findings reached, the information on which such findings are based and the action which Members concerned have been recommended to take containing the determination made, the reasons therefore and any recommendations made to Members; provided that publication of such reports or of any portion thereof may be withheld if it deems this course justified the Organization may if it deems it desirable withhold from publication the whole or any part of such report;

provided also that the Organization and shall not if a Member so requests disclose to any person confidential information furnished by that Member which would materially damage the legitimate business interests of a commercial enterprise; and

(f) transmit to all Members and if it deems it desirable publish a report setting forth the action taken by the Member concerned to achieve the results described in sub-paragraph c in response to requests or recommendations made under sub-paragraph (d).

NOTE: As a consequence Article 42 (5) would be amended by deleting the words "as requested by the Organization under sub-paragraph (e) of Article 40."
Article 45

(b) the international agreements excepted in Article 59 provided that
(2) notwithstanding the foregoing, the Organization may at its
discretion make recommendations to Members and to appropriate inter-
governmental organizations concerning any features of the agreements
referred to in sub-paragraph (1) (b) such agreements which it considers have the effects described in paragraph (1) of Article 39.

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